



U.S. EPA
REGION IX
COMM CENTER

SEP 3 9 10 AM '74

EXECUTIVE CHAMBERS

HONOLULU

August 20, 1974

JOHN A. BURNS
GOVERNOR

Mr. Paul DeFalco, Jr.
Regional Administrator
U. S. Environmental Protection Agency
Region IX
100 California Street
San Francisco, California 94111

RECEIVED
AUG 30 1974
EPA

Dear Mr. DeFalco:

On May 14, 1974, I wrote to you requesting delegation of authority to administer the National Pollutant Discharge Elimination System (NPDES) pursuant to Section 402(b) of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500. Since that date, our initial submittal has been reviewed by your staff and revised by the staff of the Hawaii State Department of Health to meet your requirements.

I have been informed that the attached complete application is considered to be adequate in all major respects. I am also enclosing a supplementary Attorney General's opinion to clarify the provisions of Chapter 342, Section 7, Hawaii Revised Statutes, and the proposed amendments to Chapter 37.

The Legislative Auditorium in the State Capitol has been tentatively reserved for 1:30 p.m. and 7:00 p.m. on October 10, 1974 for you to hold the public hearing on our request for delegation. If this date is inconvenient, please let my staff know as soon as possible.

Please be informed that the public hearing to consider the proposed amendments to Chapter 37 of the State Public Health Regulations has been scheduled by the Department of Health for October 8, 1974.

Your assistance in our efforts to administer our own permit program for discharges in navigable waters is greatly appreciated. I am pleased that you will be able to provide us with staff assistance under the Intergovernmental Personnel Act program during this first year of transition.

With warm personal regards, I remain,

Sincerely,

George R. Ariyoshi
GEORGE R. ARIYOSHI
Acting Governor of Hawaii

Enclosures
cc: OEQC
EPA, Hawaii

File 815.4

ENVIRONMENTAL PROTECTION AGENCY
Environmental Protection Agency
Region IX
100 California Street
San Francisco, California 94111

Honorable George R. Ariyoshi
Acting Governor
Governor's Executive Chambers
Honolulu, HI 96801

SEP 5 1974

Dear Mr. Ariyoshi:

This is to acknowledge receipt of your letter of August 20, 1974, regarding request for approval of State of Hawaii National Pollutant Discharge Elimination System Permit Program, and enclosing program documentation pursuant to Section 402(b) of the Federal Water Pollution Control Act Amendments (86 Stat. 816; 33 USC 1251).

We have examined the form and documentation of your submission and find that it complies with the requirements of part B of the Instructions for EPA Procedures for Review of such submissions. Accordingly, we are planning to publish a Notice of Request for State Program Approval and hold a joint public hearing, on October 10, 1974, as described in that Notice.

A copy of your submission has been forwarded to EPA Headquarters, Office of Enforcement and General Counsel for review. Following the public hearing, and after consideration of the hearing record, I will forward my recommendation on your request to the Administrator for his final determination. An affirmative decision by the Administrator would result in assumption of the program, by the State of Hawaii, no later than 90 days from the date of this letter.

Should you have any questions concerning these procedures, please do not hesitate to bring them to my attention.

Sincerely,

Original signed by:
Paul De Falco, Jr.

Paul De Falco, Jr.
Regional Administrator

Enclosure

cc: Administrator, EPA
A-100

Reading file

Enf. Div.

Permits Br.

SLeibowitz/mc 9/4/74

(Stored 25)

FILE 815.4

bc: PIO

CONCURRENCES

SYMBOL	PL	WH P	Q	P2K	Com-Center		
SURNAME	Leibowitz				KK		
DATE	9/4/74	9/4/74	9/4	9/4/74	9-5-74		